

1882-047 Chancery Causes: C. M. Parsons for & vs. John C. Olinger
Lee Co.

Kilgore

CA-Debt
T-Property

To the Hon Jno A. Kelly Judge of the
Circuit Court of Lee County in Chancery
Sitting

Your Auditor C. M. Jarrons who
sues for the benefit of Charles F. Kitzow
humbly complaining respectfully sheweth
unto your honor heretofore to wit on
the 21st day of July 1880. Your Auditor recovered
a judgment against John C. Olinger before
Henry C. Joslyn Esq. a Justice of the Peace
of Lee County Va. for the sum of 108 with
interest thereon from the 10th day of December
1877 the said sum \$1.00 for costs. Upon
this judgment the said Justice issued his
Writ of Fi Fa directed to a Constable
of said County and the said Constable
afterwards returned the same "no property
found." A Copy of the said Judgment
and Fi Fa and Constable's return is
filed herewith marked "A" by which
all the foregoing facts will more
fully appear. Your Auditor further states
that this judgment was duly docketed on
the lien docket of Lee County. A copy
of which docketing is here filed marked
"B" as part of this bill.

Said judgment (no part of which has ever
been paid) constitutes a lien upon the
all real estate and interest in real estate
owned by the said John C. Olinger at the rendition
of the said judgment or subsequently acquired

by him. But the amount of said judgment being
less than 20¢ your Oration on the 20th day
of December 1881 caused a written notice
to be served on the said John C. Olinger
notifying him that unless said judgment was
fully paid off within 60 days from the day
he (Olinger) was served with a copy of said
notice, your Oration would institute this
suit. Yet said Olinger wholly fails
and refuses to pay said judgment or
any part thereof although ~~said~~ ^{he} ~~has~~
served with said notice more than
60 days before the date thereof of bringing
this suit. A copy of said notice with the
return thereon endorsed is herewith filed marked
"C" as part of this bill.

Your Oration now states that the said
John C. Olinger is the owner and
in possession of a valuable tract
of land situated in Lee County, the same
where the said Olinger now lives. The
rents & profits whereof will soon pay
your Oration's debt interest & costs.

The object of this bill therefore is
to obtain a decree to rent the
aforesaid real Estate to satisfy your
Oration's said judgment lien.

And being without an adequate remedy
at the Common Law your Oration prays
is that the said John C. Olinger be made
a party defendant to this bill that he answer

the same on oath - that process issue & compell him
to answer that on a hearing a decree be rendered
to rent said real estate of said defendant
for such length of time not exceeding five
years as will pay your Oration's debt
interest & costs. And that all such other
further and general relief be afforded
your Oration as to equity belongs or is
due to the circumstances of his case
And as in duty bound your Oration
will ever pray &c -
James C. Olinger & Co.

B.A.

C.M. Parsons for you

vs Bill

John C. Olinger

1882 Feby 20 Bill filed.

Paid -

Settled and
abandoned

To J. C. Olinger;

Whereas on the 21st day
of July 1880, at Jonesville Lee County
Va. I as assignee of Holdway Kilgore
recovered, before Henry C. Joslyn Esq.
a Justice of the said County of Lee, a judgment
against you for the sum of \$10. with
interest thereon from the 10th day of Dec
1877 till paid and \$1.00 for my costs,
and whereas an execution issued upon
said judgment and has been returned
"No property found" and no part
of said judgment having been paid and
the whole thereof being still justly
due and owing, You are therefore
hereby notified that unless said judgment
be fully paid off within 60 days from the
time you are served with a copy of
this notice, I shall institute a Chancery
suit in the Circuit Court of Lee County
for the benefit of Charles F. Kilgore
to enforce the lien of said judgment.
This November 18th 1881

C. M. Parsons

for the benefit of
Charles F. Kilgore
Burns & Fullon
Attorneys.

C. M. Parsons for &c

vs } Notice

John C. Olinger

Executed by
delivering a copy
of the within to
J. C. Olinger
Nov 20 1881

H. Miles C. S.

"C"

Judget. with int from 10th Dec. 1877.

\$10.00

Interest to Feby 20th 1882

2.50

Costs J. P. 1.00 Sheriff 50.

1.50

Paid J. P. 50

\$14.00

" S. $\frac{.50}{1.50}$

Const. 50 due - Sent by L. J. Duncan \$12.50 to
Fulton,

The Commonwealth of Virginia,

To the Sheriff of Lee County - - - Greeting :

We Command you to Summon

John C. Olinger

To appear at the Clerk's office of the Circuit Court of Lee, at the Court-House, on the first Monday in

March

next, being rule day to answer a bill in Chancery, exhibited in our said Court against

him

by

C. M. Parsons for &c

And have then there this writ. Witness JOHN A. G. HYATT Clerk of our said court at the Court-House

this *20th* day of *February* 1882; in the *106* year of the Commonwealth,

J. A. G. Hyatt CLERK.

134

C. M. Parsonsforte
vs ³ Spain chcy
John C. Olinger

Lo March Rules 1882